Debate: Assault weapons ban in the United States

*This section is expository because it purely explains what exactly the law says …*

*and a small amount of background on the law that is equal to both arguments…*

*It also contains very little to no commentary.*

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| [[Edit](http://debatepedia.idebate.org/en/index.php?title=Debate:_Assault_weapons_ban_in_the_United_States&action=edit&section=1)]  **Should citizens in the United States be banned from possessing assault weapons?** |

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| [[Edit](http://debatepedia.idebate.org/en/index.php?title=Debate:_Assault_weapons_ban_in_the_United_States&action=edit&section=2)]  **Background and context**  A summary of the 1994 assault weapons ban in the United States [a 2004 report to the National Institute of Justice](http://www.ncjrs.gov/pdffiles1/nij/grants/204431.pdf): "Title XI, Subtitle A of the Violent Crime Control and Law Enforcement Act of 1994 imposed a 10-year ban on the “manufacture, transfer, and possession” of certain semiautomatic firearms designated as assault weapons (AWs). The ban is directed at semiautomatic firearms having features that appear useful in military and criminal applications but unnecessary in shooting sports or self-defense (examples include flash hiders, folding rifle stocks, and threaded barrels for attaching silencers). The law bans 18 models and variations by name, as well as revolving cylinder shotguns. It also has a “features test” provision banning other semiautomatics having two or more military-style features. In sum, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) has identified 118 models and variations that are prohibited by the law. A number of the banned guns are foreign semiautomatic rifles that have been banned from importation into the U.S. since 1989.  [http://debatepedia.idebate.org/en/images/thumb/0/0c/Assault_rifle.jpg/320px-Assault_rifle.jpg](http://debatepedia.idebate.org/en/index.php/Image:Assault_rifle.jpg)  [http://debatepedia.idebate.org/en/images/thumb/e/e1/Assault_weapons_ban.jpg/250px-Assault_weapons_ban.jpg](http://debatepedia.idebate.org/en/index.php/Image:Assault_weapons_ban.jpg)  The ban also prohibits most ammunition feeding devices holding more than 10 rounds of ammunition (referred to as large capacity magazines, or LCMs). An LCM is rguably the most functionally important feature of most AWs, many of which have magazines holding 30 or more rounds. The LCM ban’s reach is broader than that of the AW ban because many non-banned semiautomatics accept LCMs. Approximately 18% of civilian-owned firearms and 21% of civilian-owned handguns were equipped with LCMs as of 1994.  The ban exempts AWs and LCMs manufactured before September 13, 1994. At that time, there were upwards of 1.5 million privately owned AWs in the U.S. and nearly 25 million guns equipped with LCMs. Gun industry sources estimated that there were 25 million pre-ban LCMs available in the U.S. as of 1995. An additional 4.7 million pre-ban LCMs were imported into the country from 1995 through 2000, with the largest number in 1999."  The text here is more of the previous it gives more background but gives no bias towards one side or the other.  The assault weapons ban expired in 2004, and was not renewed by Congress. The fact that it was not renewed was highly contentious among the general American public and in the halls of Congress. Many continue to call for the renewal of the ban or a fresh assault weapons ban, which some hope would solve some of the problems with the first legislation. Gun rights advocates continue to oppose any ban, and the debate continues...  *See* [*Wikipedia: Federal Assault Weapons Ban*](http://en.wikipedia.org/wiki/Assault_Weapons_Ban) *for more background.* |

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| [[Edit](http://debatepedia.idebate.org/en/index.php?title=Debate:_Assault_weapons_ban_in_the_United_States&action=edit&section=3)]  **2nd Amendment: Is a ban consistent with the 2nd amendment of the US constitution?** | |
| [[Add New](http://debatepedia.idebate.org/en/index.php?title=Debate:_Assault_weapons_ban_in_the_United_States&action=addnewcontent&section=4)]  This part of the page is where readers can post their opinion and reasoning on the topic.  Although there is obviously a difference in the quality and how the arguments are backed up on both sides the author appears to use all of the available resources for each argument and is therefore expository.  (The remainder of the article goes on to unrelated issues and has nothing to do with the accordance with the amend ment so it has been removed.)  [[Edit](http://debatepedia.idebate.org/en/index.php?title=Debate:_Assault_weapons_ban_in_the_United_States&action=edit&section=4)]  **Yes**   * [**The Second Amendment applies to militia's, not private ownership**](http://debatepedia.idebate.org/en/index.php/Argument:_The_Second_Amendment_applies_to_militia%27s%2C_not_private_ownership)**.** "Since the Second Amendment right 'to keep and bear arms' applies only to the right of the state to maintain a militia, and not to the individual's right to bear arms, there can be no serious claim to any express constitutional right of an individual to possess a firearm," (Stevens v. United States). * [**A ban on assault weapons is not a slippery slope to an all gun ban**](http://debatepedia.idebate.org/en/index.php/Argument:_A_ban_on_assault_weapons_is_not_a_slippery_slope_to_an_all_gun_ban). Most individuals seeking a ban on assault weapons just want assault weapons to be banned. | [[Add New](http://debatepedia.idebate.org/en/index.php?title=Debate:_Assault_weapons_ban_in_the_United_States&action=addnewcontent&section=5)]  [[Edit](http://debatepedia.idebate.org/en/index.php?title=Debate:_Assault_weapons_ban_in_the_United_States&action=edit&section=5)]  **No**   * [**The US 2nd Amendment does not merely protect a right to arms in militias**](http://debatepedia.idebate.org/en/index.php/Argument:_The_US_2nd_Amendment_does_not_merely_protect_a_right_to_arms_in_militias) * [**An assault weapons ban violates the presumption of innocence**](http://debatepedia.idebate.org/en/index.php/Argument:_An_assault_weapons_ban_violates_the_presumption_of_innocence) * [**An assault weapon ban violates the second amendment**](http://debatepedia.idebate.org/en/index.php/Argument:_An_assault_weapon_ban_violates_the_second_amendment) * [**An assault weapons ban leads to a slippery slope of gun seizures**](http://debatepedia.idebate.org/en/index.php/Argument:_An_assault_weapons_ban_leads_to_a_slippery_slope_of_gun_seizures) * **The Supreme Court has affirmed the individual right to bear arms.** The Supreme Court has affirmed that the 2nd Amendment confers an individual right to bear arms. (*Heller vs. District of Columbia*) Delivered in 2008. |
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